

**REAL ESTATE PURCHASE AND EXCHANGE AGREEMENT
ANTELOPE VALLEY 4TH ADDITION**

THIS REAL ESTATE PURCHASE AND EXCHANGE AGREEMENT – ANTELOPE VALLEY 4TH ADDITION ("Agreement") made by and between the CITY OF LINCOLN, NEBRASKA, a municipal corporation, ("City") and LANCASTER COUNTY SCHOOL DISTRICT 001, also known as Lincoln Public Schools, a political subdivision and class IV public school district ("LPS"), and as may also collectively be referred to herein as "the Parties."

WHEREAS, as a result of the Antelope Valley Projects sponsored by the City of Lincoln, University of Nebraska-Lincoln and the Lower Platte South Natural Resources District to address flood control, transportation issues and other community enhancements, alterations and improvements are being made to the Antelope Creek waterway and certain streets and roads in the vicinity which among other areas impacts property between Randolph Street and J Street on the east side of Capitol Parkway (the "Project Area").

WHEREAS, LPS and the City wish to facilitate the Antelope Valley Projects in general and their own property in the Project Area.

WHEREAS, LPS and the City intend to work together to resolve issues relating to vacating certain streets and alleys in the Project Area which were never constructed, to replat the area to be known as the Antelope Valley 4th Addition to better fit the needs and uses of the property by LPS and the City, to dedicate new area to the Capitol Parkway right-of-way, and to exchange and transfer title to those tracts of real property necessary to conform with their intent and the replat.

In consideration of the mutual covenants set forth herein, the City and LPS agree as follows:

1. LPS owns an irregular tract of land in the East Half of Section 25, Township 10 North, Range 6 East of the 6th P.M., City of Lincoln, Lancaster County, State of Nebraska, as is generally shown in Orange on **Exhibit A**, which is attached hereto and incorporated herein by this reference.

2. The City owns an irregular tract of land in the East Half of Section 25, Township 10 North, Range 6 East of the 6th P.M., City of Lincoln, Lancaster County, State of Nebraska, as is generally shown in Blue on **Exhibit B**, which is attached hereto and incorporated herein by this reference.

3. As part of this Agreement there are certain unused streets and alleys being vacated by Petition(s) to Vacate Public Way, and by other City processes, as are generally shown in Yellow on **Exhibit C**, which is attached hereto and incorporated herein by this reference, with such vacated parcels initially reverting to and being retained and owned by the City, subject to the portions thereof to be conveyed to LPS as provided herein. The parties shall cooperate and execute necessary documents to accomplish the vacations and transfers.

4. In addition to any other conveyances herein, LPS shall sell, dedicate, convey and transfer by quitclaim deed, ownership to the City at no cost to the City of that certain tract of real

property adjacent to Capitol Parkway as is generally shown in Blue on **Exhibit D, Page 1**, which is attached hereto and incorporated herein by this reference. A portion of the dedicated tract shall be used by the City as additional street right-of-way for Capitol Parkway. The quitclaim deed shall be in substantially the form as shown on **Exhibit D, Page 2**. Closing and transfer of ownership on this conveyance shall occur within 30-days of the date of this Agreement or mutual written extensions thereof.

5. In addition to any other conveyances herein, the City, for the sum of \$43,861.50 from LPS to be credited to the City in the City and LPS Asset Banking Account, shall sell, convey and transfer by quitclaim deed, ownership to LPS of a certain tract of real property as is generally shown in Orange on **Exhibit E, Page 1**, which attached hereto and incorporated herein by this reference, with a total area of approximately $\pm 8,217$ square feet (0.19 acres). The quitclaim deed shall be in substantially the form as shown on **Exhibit E, Page 2**. Closing and transfer of ownership on this conveyance shall occur within 30-days of the date of this Agreement or mutual written extensions thereof.

6. As part of this Agreement, the City and LPS shall approve and execute and file in substantially the form as the ANTELOPE VALLEY 4TH ADDITION FINAL PLAT, together with such easements and dedications that shall be prepared prior to filing, a copy of such plat map is marked as **Exhibit F**, attached hereto and incorporated herein by this reference.

7. Upon completion of the final plat, to reflect historic uses, straighten out boundary lines and confirm ownership so that the City will be the full record owner of Outlot "A" as shown on the Antelope Valley 4th Addition final plat, LPS shall transfer and convey at no cost to the City its ownership interest in and to the entire Outlot "A" by quitclaim deed in substantially the form shown on **Exhibit G**, attached hereto and incorporated herein by this reference.

8. Upon completion of the final plat, to reflect historic uses, straighten out boundary lines and confirm ownership so that LPS will be the full record owner of Lot 1, Block 1, as shown on the Antelope Valley 4th Addition final plat, the City shall transfer and convey at no additional cost to LPS its ownership interest in and to the entire Lot 1, Block 1 by quitclaim deed in substantially the form shown on **Exhibit H**, attached hereto and incorporated herein by this reference.

IN WITNESS HEREOF, LPS and the City do hereby execute this Agreement.

LANCASTER COUNTY SCHOOL CITY OF LINCOLN, NEBRASKA, a
DISTRICT 001, a/k/a LINCOLN PUBLIC municipal corporation,
SCHOOLS, a political subdivision and a Class
IV school district,

BY: _____
Mark Shepard, Associate
Superintendent for Business Affairs

DATED: _____, 2012

By: _____
Chris Beutler, Mayor

DATED: _____, 2012.

EXHIBIT A

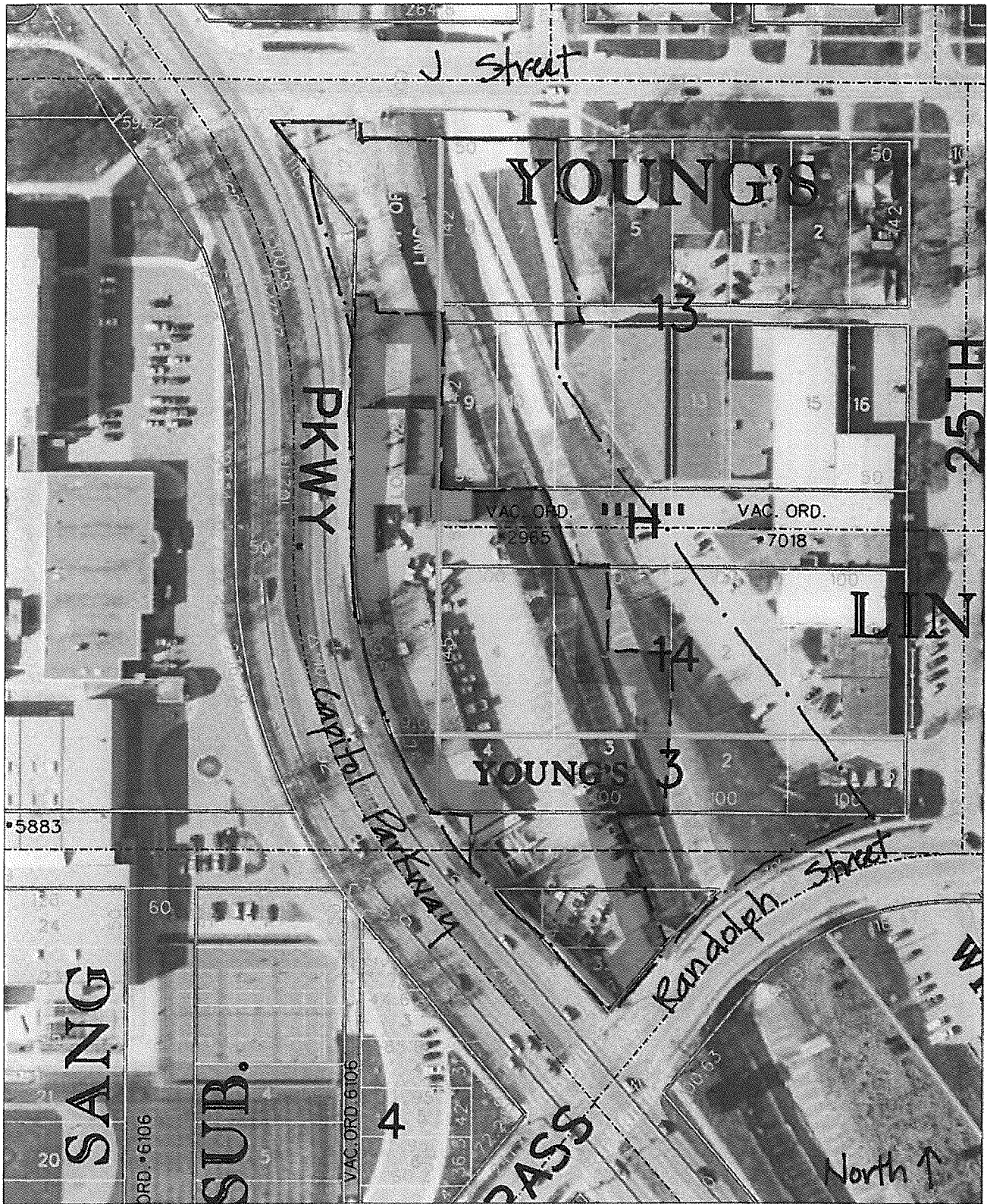


EXHIBIT B

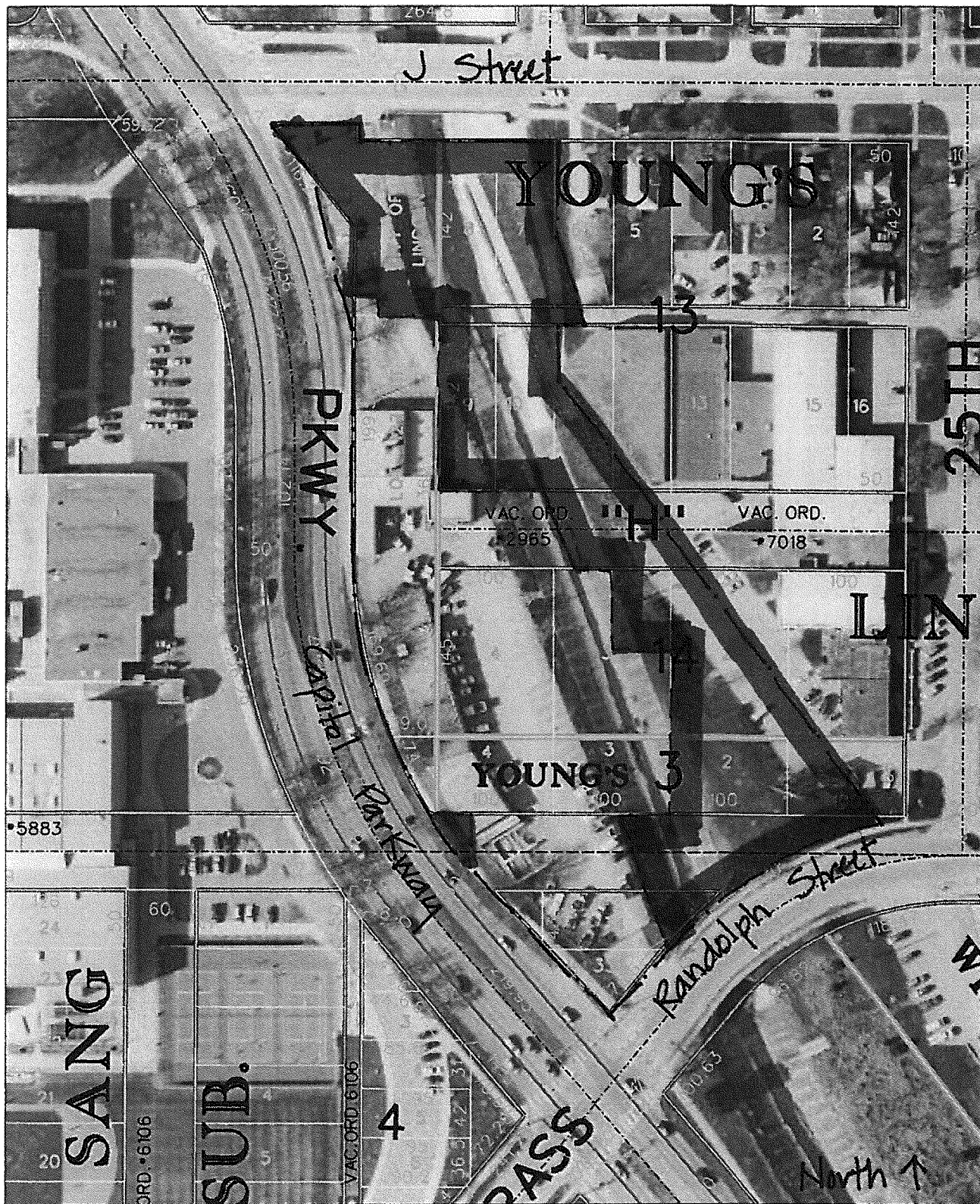
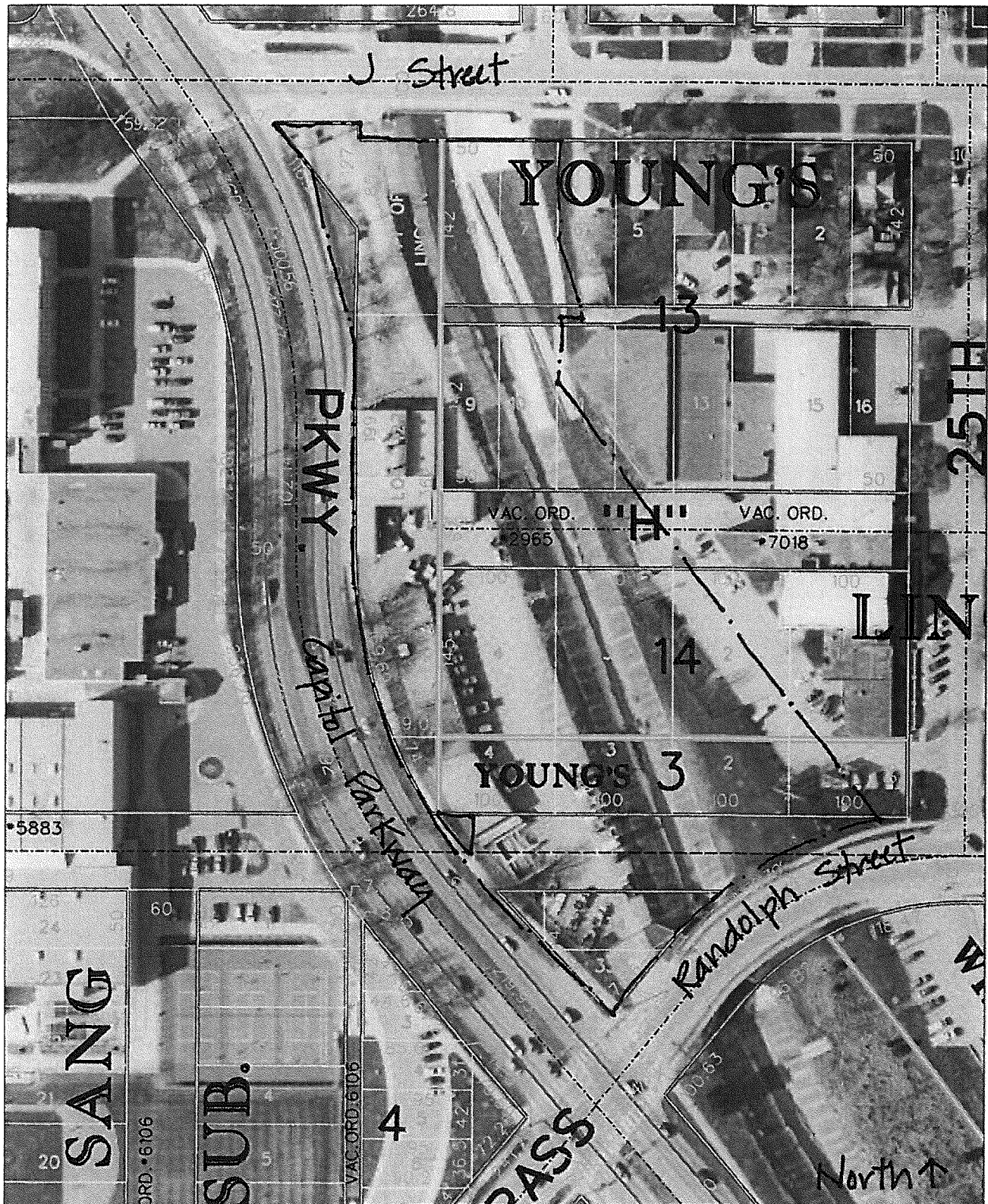


EXHIBIT C



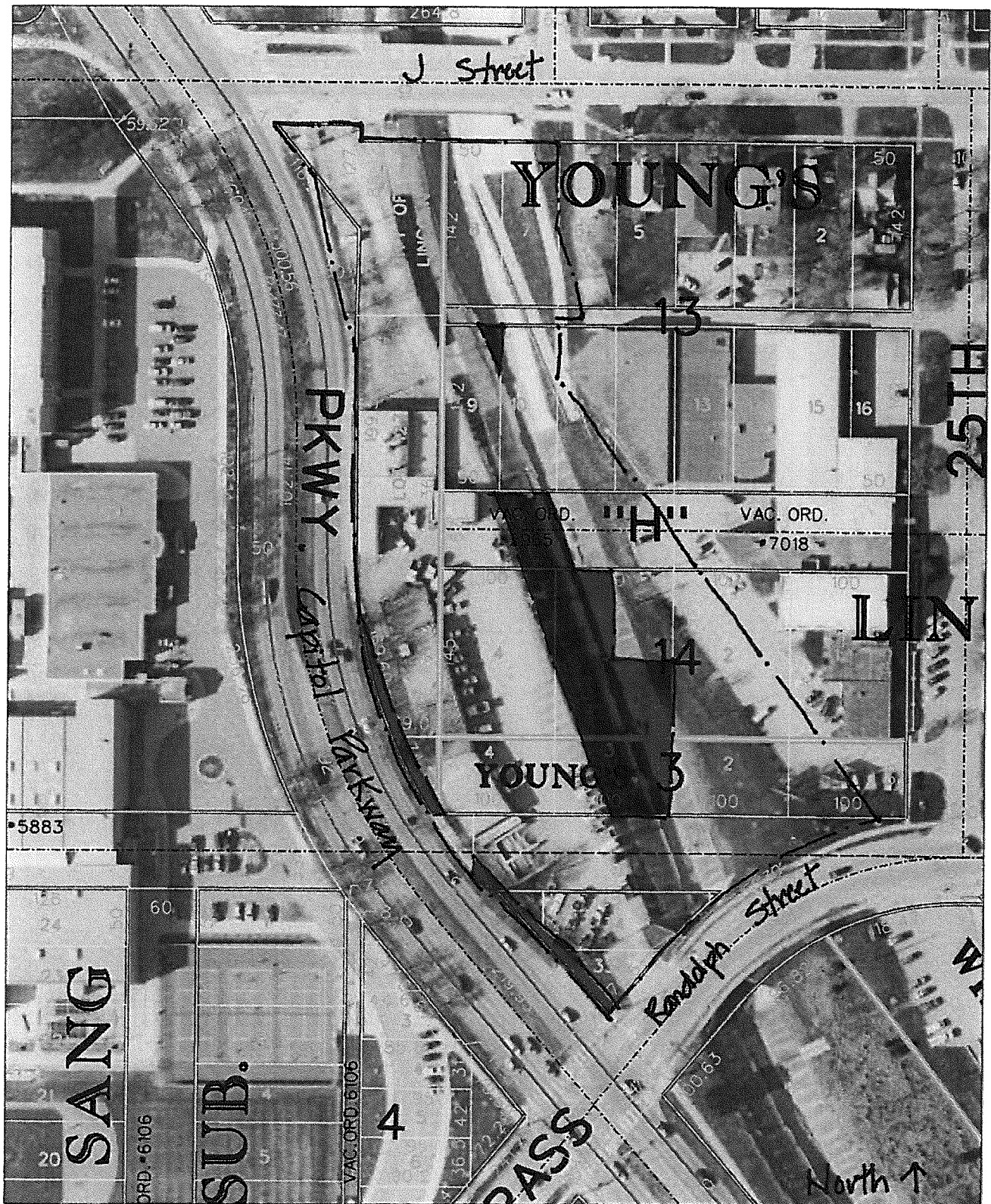


EXHIBIT D

(Page 2 of 2)

QUITCLAIM DEED

The **Lancaster County School District 001, a/k/a Lincoln Public Schools, a governmental entity, ("Grantor")**, in consideration of One Dollar (\$1.00) and other valuable consideration received from **City of Lincoln, Nebraska, a municipal corporation, ("Grantee")**, quitclaims to Grantee the following described tracts of real estate (as defined in Neb. Rev. Stat. § 76-201):

[Legal Description to be Inserted]

To have and to hold the above described premises together with all tenements, hereditaments, and appurtenances thereto belonging unto the Grantee and to Grantee's successors and assigns forever.

In witness whereof, Grantor has hereunto caused these presents to be signed by an Authorized Official.

Executed this ____ day of _____, 2012.

LANCASTER COUNTY SCHOOL DISTRICT 001, a/k/a LINCOLN PUBLIC SCHOOLS, a governmental entity

By: _____
Mark Shepard, Associate Superintendent for Business Affairs

STATE OF NEBRASKA)
) ss:
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2012 by Mark Shepard, Associate Superintendent for Business Affairs for Lancaster County School District 001, a/k/a Lincoln Public Schools, a governmental entity, on behalf of that governmental entity.

Notary Public

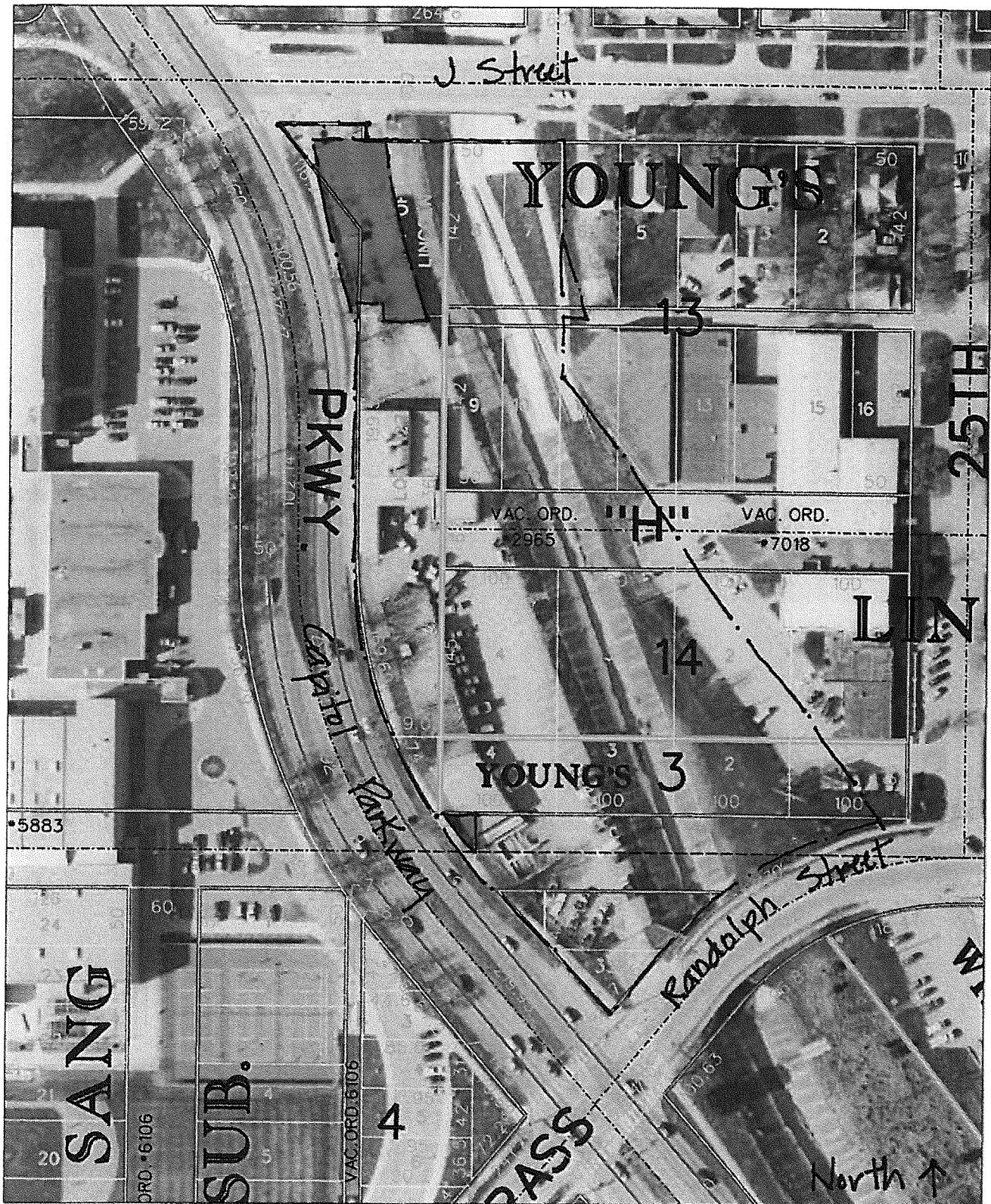


EXHIBIT E
(Page 2 of 2)

QUITCLAIM DEED

The Grantor, **CITY OF LINCOLN, NEBRASKA, a municipal corporation**, organized and existing under and by virtue of the laws of the State of Nebraska, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration received from Grantee, does hereby quitclaim, grant, bargain, sell, convey and confirm unto **LANCASTER COUNTY SCHOOL DISTRICT 001, a/k/a LINCOLN PUBLIC SCHOOLS, a governmental entity**, herein called the Grantee, the following described tracts of real estate (as defined in Neb. Rev. Stat. § 76-201):

[Legal Description to be Inserted]

To have and to hold the above described premises together with all tenements, hereditaments, and appurtenances thereto belonging unto the Grantee and to Grantee's successors and assigns forever.

In witness whereof, Grantor has hereunto caused its corporate seal to be affixed and these presents signed by its Mayor.

Dated this ____ day of _____, 2012.

ATTEST:

**CITY OF LINCOLN, NEBRASKA,
a municipal corporation**

City Clerk

Chris Beutler, Mayor of Lincoln

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2012 by Chris Beutler, Mayor of City of Lincoln, Nebraska.

Notary Public

ANTELOPE VALLEY 4TH ADDITION FINAL PLAT



SCALE: 1"=50'

EXHIBIT F

ORR SANG SUB.

HOUTZ
PLACE

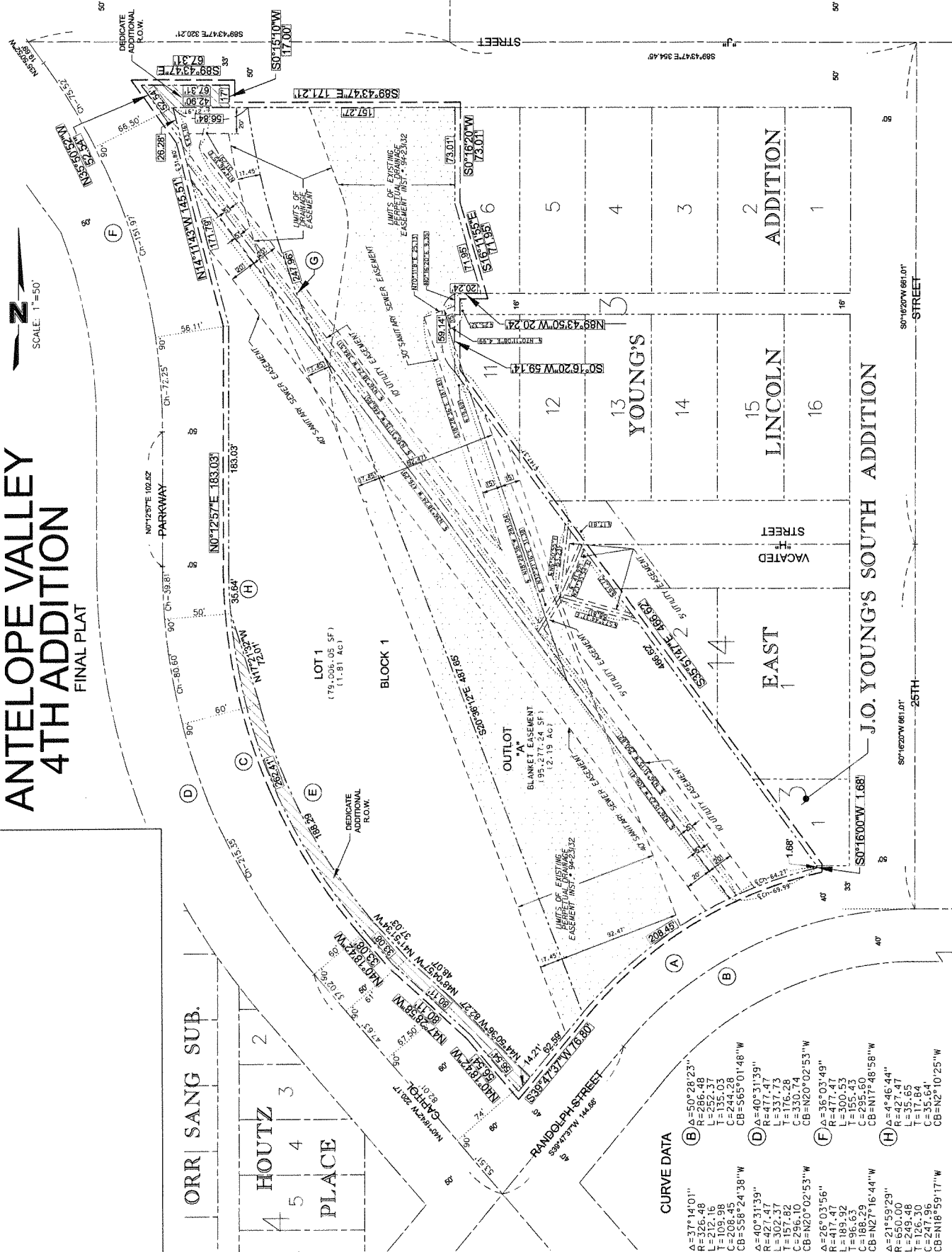
LOT 1
(79,006.05 SF)
(1.81 AC)

BLOCK 1

Page 10 of 14

CURVE DATA

- (A) $\Delta=37^{\circ}14'01''$
R=326.48
T=106.98
C=208.45
CB=558^{\circ}24'38''W
- (B) $\Delta=50^{\circ}28'23''$
R=285.48
T=135.03
C=244.28
CB=565^{\circ}01'48''W
- (C) $\Delta=40^{\circ}31'39''$
R=427.47
T=157.82
C=296.10
CB=N20^{\circ}02'53''W
- (D) $\Delta=40^{\circ}31'39''$
R=427.47
T=157.82
C=296.10
CB=N20^{\circ}02'53''W
- (E) $\Delta=26^{\circ}03'56''$
R=417.47
T=189.92
C=188.29
CB=N27^{\circ}16'44''W
- (F) $\Delta=36^{\circ}03'49''$
R=477.47
T=300.53
C=295.60
CB=N17^{\circ}48'58''W
- (G) $\Delta=21^{\circ}59'29''$
R=650.00
T=249.48
C=35.65
CB=N18^{\circ}59'17''W
- (H) $\Delta=4^{\circ}46'44''$
R=427.47
T=126.30
C=35.65
CB=N2^{\circ}10'25''W



200607-1

SHEET 1 OF 3

EXHIBIT G: OUTLOT A TO BE CONVEYED TO CITY

(Page 1 of 2)

QUITCLAIM DEED

The **Lancaster County School District 001, a/k/a Lincoln Public Schools, a governmental entity, ("Grantor")**, in consideration of One Dollar (\$1.00) and other valuable consideration received from **City of Lincoln, Nebraska, a municipal corporation, ("Grantee")**, quitclaims to Grantee the following described tracts of real estate (as defined in Neb. Rev. Stat. § 76-201):

All of Outlot "A" to the Antelope Valley 4th Addition, a subdivision in the City of Lincoln, Lancaster County, Nebraska

To have and to hold the above described premises together with all tenements, hereditaments, and appurtenances thereto belonging unto the Grantee and to Grantee's successors and assigns forever.

In witness whereof, Grantor has hereunto caused these presents to be signed by an Authorized Official.

Executed this ____ day of _____, 2012.

LANCASTER COUNTY SCHOOL DISTRICT 001, a/k/a LINCOLN PUBLIC SCHOOLS, a governmental entity

By: _____
Mark Shepard, Associate Superintendent for Business Affairs

STATE OF NEBRASKA)
) ss:
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2012 by Mark Shepard, Associate Superintendent for Business Affairs for Lancaster County School District 001, a/k/a Lincoln Public Schools, a governmental entity, on behalf of that governmental entity.

Notary Public

ANTELOPE VALLEY 4TH ADDITION FINAL PLAT

FINAL CITY PROPERTY

ORR SANG SUB.

HOUTZ
PLACE

EXHIBIT G
Page 2 of 2

CURVE DATA

- (A) $\Delta=37^{\circ}14'01''$
R=326.48
T=212.16
L=212.16
C=208.45
CB=558^{\circ}24'38''W
- (B) $\Delta=50^{\circ}28'23''$
R=286.48
T=135.03
L=135.03
C=244.28
CB=565^{\circ}01'48''W
- (C) $\Delta=40^{\circ}31'39''$
R=302.37
T=157.82
L=157.82
C=296.10
CB=N20^{\circ}02'53''W
- (D) $\Delta=40^{\circ}31'39''$
R=302.37
T=157.82
L=157.82
C=296.10
CB=N20^{\circ}02'53''W
- (E) $\Delta=26^{\circ}03'56''$
R=417.47
T=189.92
L=189.92
C=188.29
CB=N27^{\circ}16'44''W
- (F) $\Delta=36^{\circ}03'49''$
R=477.47
T=295.60
L=295.60
C=188.29
CB=N17^{\circ}48'58''W
- (G) $\Delta=21^{\circ}59'29''$
R=650.00
T=249.48
L=249.48
C=126.30
CB=N18^{\circ}59'17''W
- (H) $\Delta=4^{\circ}46'44''$
R=427.47
T=126.30
L=126.30
C=35.64
CB=N2^{\circ}10'25''W

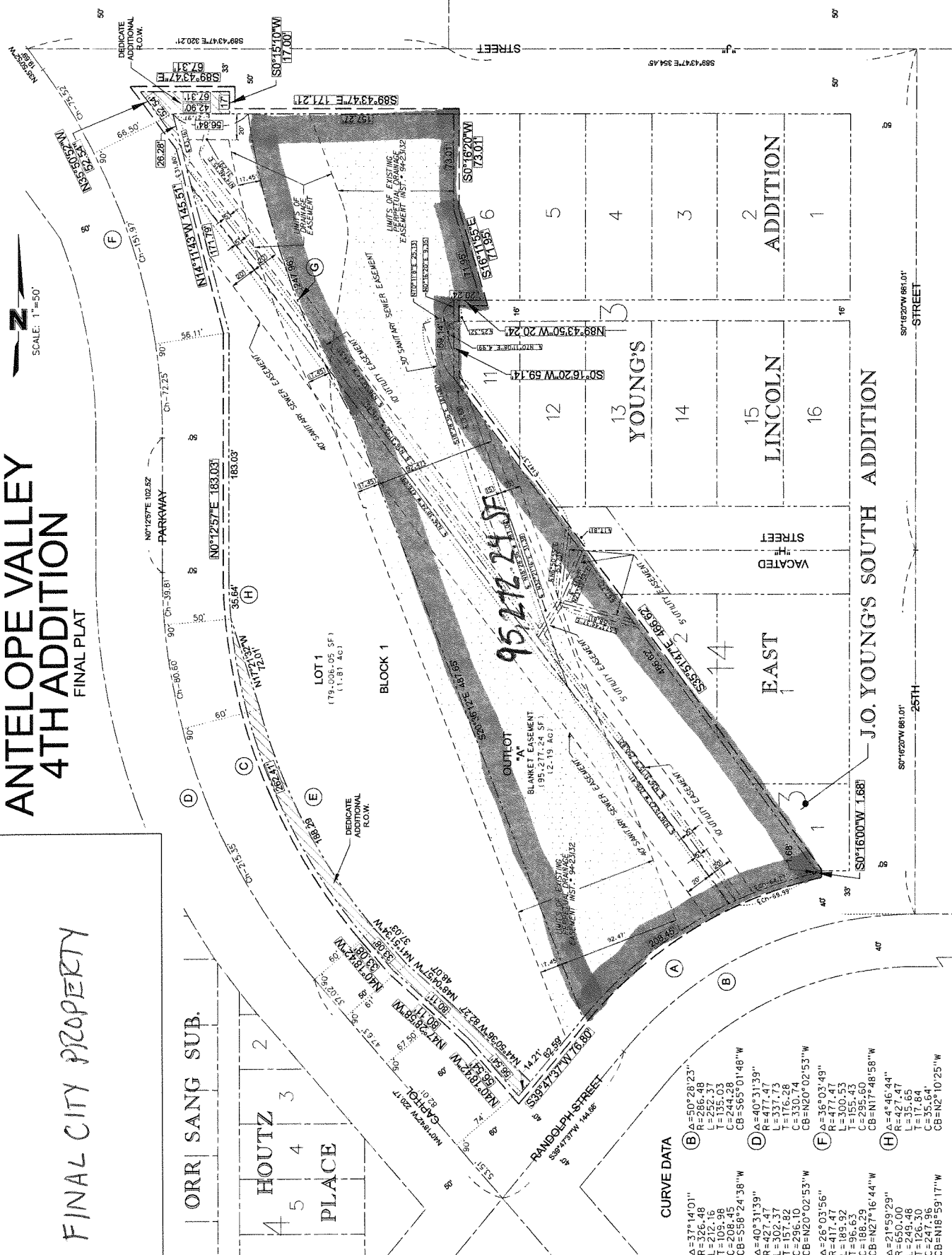


EXHIBIT H: LOT 1, BLOCK 1 TO BE CONVEYED TO LPS

(Page 1 of 2)

QUITCLAIM DEED

The Grantor, **CITY OF LINCOLN, NEBRASKA, a municipal corporation**, organized and existing under and by virtue of the laws of the State of Nebraska, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration received from Grantee, does hereby quitclaim, grant, bargain, sell, convey and confirm unto **LANCASTER COUNTY SCHOOL DISTRICT 001, a/k/a LINCOLN PUBLIC SCHOOLS, a governmental entity**, herein called the Grantee, the following described tracts of real estate (as defined in Neb. Rev. Stat. § 76-201):

All of Lot 1, Block 1, to the Antelope Valley 4th Addition, a subdivision in the City of Lincoln, Lancaster County, Nebraska.

To have and to hold the above described premises together with all tenements, hereditaments, and appurtenances thereto belonging unto the Grantee and to Grantee's successors and assigns forever.

In witness whereof, Grantor has hereunto caused its corporate seal to be affixed and these presents signed by its Mayor.

Dated this ____ day of _____, 2012.

ATTEST:

**CITY OF LINCOLN, NEBRASKA,
a municipal corporation**

City Clerk

Chris Beutler, Mayor of Lincoln

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this ____ day of _____, 2012 by Chris Beutler, Mayor of City of Lincoln, Nebraska.

Notary Public

ANTELOPE VALLEY 4TH ADDITION FINAL PLAT

FINAL LPS PROPERTY

ORR SANG SUB.

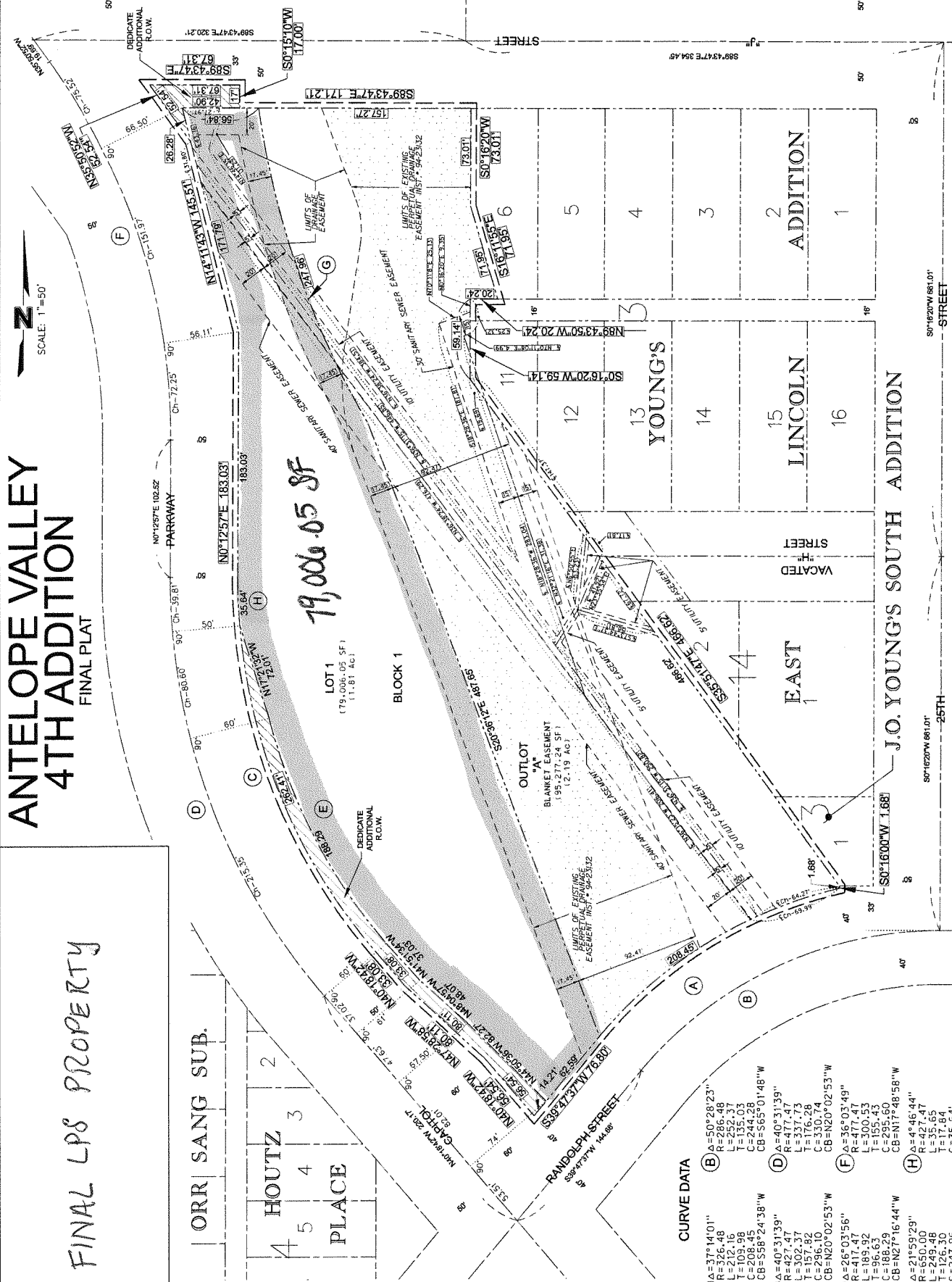
HOUTZ
PLACE

EXHIBIT H
Page 2 of 2

Page 14 of 14

CURVE DATA

- (A) $\Delta=37^{\circ}14'01''$
R=326.48
L=212.16
T=103.46
CB=558^{\circ}24'38''W
- (B) $\Delta=50^{\circ}28'23''$
R=286.48
L=252.37
T=125.19
CB=565^{\circ}01'48''W
- (C) $\Delta=40^{\circ}31'39''$
R=477.47
L=157.82
T=296.10
CB=N20^{\circ}02'53''W
- (D) $\Delta=40^{\circ}31'39''$
R=477.47
L=157.82
T=296.10
CB=N20^{\circ}02'53''W
- (E) $\Delta=26^{\circ}03'56''$
R=189.92
L=100.53
T=96.63
CB=N27^{\circ}16'44''W
- (F) $\Delta=35^{\circ}03'49''$
R=477.47
L=300.53
T=155.43
CB=N17^{\circ}48'58''W
- (G) $\Delta=21^{\circ}59'29''$
R=650.00
L=249.48
T=126.30
CB=N18^{\circ}59'17''W
- (H) $\Delta=4^{\circ}46'44''$
R=427.47
L=35.65
T=17.84
CB=N2^{\circ}10'25''W



200607-1

SHEET 1 OF 3